

Board Administration and Regulatory Coordination Unit

Division 3. Air Resources Board

Chapter 1. Air Resources Board

Subchapter 1.25. Administrative Procedures–Hearings

Article 4. Administrative Hearing Procedures for Review of Citations

Subarticle 11. Reconsideration by the Executive Officer

§ 60075.41. Reconsideration; On Motion of Executive Officer or by Request of Party.

(a) At any time within 20 days of the filing of an order or decision of the hearing officer, pursuant to section 60075.40 of these rules the executive officer may, on his or her own motion, determine that reconsideration is appropriate with respect to any matters determined or covered by the order or decision of the hearing officer. The executive officer shall notify the parties and the hearing office of his or her determination.

(b) A party aggrieved by an order or decision of the hearing officer, pursuant to section 60075.40 of these rules may, within 20 days of service of such order or decision, request that the executive officer reconsider any matters determined or covered by the order or decision. The request for reconsideration shall be filed with the executive officer and shall be served on all parties in accordance with section 60075.4 of these rules, except that the original of the request shall be filed with the executive officer, and the hearing office shall receive a copy. The request shall be deemed filed the date it is delivered or mailed to the executive officer.

NOTE: Authority cited: Sections 39600, 39601, 43028, 43031(a) and 44011.6(m), Health and Safety Code. Reference: *Mathews v. Eldridge*, 424 U.S. 319 (1976); and Sections 43028 and 44011.6, Health and Safety Code.

REFERENCE